

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHESTER M. POLECK, JR.	:	CIVIL ACTION
Plaintiff,	:	
	:	
vs.	:	
	:	NO. 09-291
MICHAEL J. ASTRUE,	:	
Commissioner of Social Security	:	
Defendant.	:	

ORDER

AND NOW, this 9th day of November, 2009, after careful review and independent consideration of plaintiff's Statement of Issues in Support of Request for Review (Doc. No. 7. filed 5/11/09), the Report and Recommendation of Jacob P. Hart, United States Magistrate Judge, dated September 16, 2009; and plaintiff's Objections to the Magistrate Judge's Report and Recommendation (Doc. No. 12, filed 10/01/09), for the reasons stated in the Memorandum dated November 9, 2009, **IT IS ORDERED** as follows:

1. The Report and Recommendation of Jacob P. Hart, United States Magistrate Judge, dated September 16, 2009, is **APPROVED** and **ADOPTED** as supplemented and amended in the Court's November 9, 2009 Memorandum;
2. Plaintiff's Objections to the Magistrate Judge's Report and Recommendation are **OVERRULED**;
3. Plaintiff's Request for Review is **GRANTED IN PART** and **DENIED IN PART**; and the matter shall be **REMANDED** pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further review of the medical evidence with regard to the plaintiff's heart impairment and his carpal tunnel syndrome. Plaintiff's Request for Review is **DENIED** in all other respects.

BY THE COURT:

/s/ Jan E. DuBois

JAN E. DUBOIS, J.